

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

<u>ALICE KRAMER, as Personal Representative</u>	:	
<u>of the Estate of Arthur Kramer,</u>	:	
	:	Case No.: 08 CV 2429-DAB-MHD
	:	
Plaintiff,	:	
—against—	:	
	:	ECF Case
LOCKWOOD PENSION SERVICES, INC.,	:	
ET AL.,	:	
	:	
Defendants.	:	
<u>PHOENIX LIFE INSURANCE CO.,</u>	:	
	:	
	:	
Third-Party	:	
Plaintiff,	:	
—against—	:	
	:	
STEVEN LOCKWOOD,	:	
	:	
Third-Party	:	
Defendant.	:	
<u>LIFE PRODUCT CLEARING LLC,</u>	:	
	:	
	:	
Third-Party	:	
Plaintiff,	:	
—against—	:	
	:	
LIZA KRAMER and ANDREW B. KRAMER,	:	
	:	
Third-Party	:	
Defendants.	:	
	:	

AFFIDAVIT OF KATHERINE L. VILLANUEVA

STATE OF PENNSYLVANIA)
) SS:
COUNTY OF PHILADELPHIA)

Katherine L. Villanueva, being duly sworn, affirms the following under penalties of perjury:

1. I am a member of the Bar of the State of New York, am admitted to practice in the Southern District of New York, and am an associate of the law firm of Drinker Biddle & Reath LLP, attorneys for Defendant Lincoln Life & Annuity Company of New York in the above-entitled action. I am familiar with all the facts and circumstances herein. I make this affidavit in support of the Memorandum of Law of Lincoln Life & Annuity Company of New York in Support of Its Motion to Dismiss the Cross-Claims of Defendant Life Product Clearing, LLC.

2. Attached as Exhibit 1 to the Memorandum of Law of Lincoln Life & Annuity Company of New York in Support of Its Motion to Dismiss the Cross-Claims of Defendant Life Product Clearing, LLC are the unpublished cases cited in the Memorandum, in alphabetical order.

3. Attached as Exhibit 2 to the Memorandum of Law of Lincoln Life & Annuity Company of New York in Support of Its Motion to Dismiss the Cross-Claims of Defendant Life Product Clearing, LLC is a true and correct copy of the Verified Complaint in the case of *Lincoln Life & Annuity Company of New York v. Lockwood Pension Services, Inc., et al.*, CV-08-501914-S (Conn. Super. Ct., Hartford J.D., filed April 16, 2008).

4. Attached as Exhibit 3 to the Memorandum of Law of Lincoln Life & Annuity Company of New York in Support of Its Motion to Dismiss the Cross-Claims of Defendant Life Product Clearing, LLC is a true and correct copy of the Case History, in the case of *Lincoln Life & Annuity Company of New York v. Lockwood Pension Services, Inc., et al.*, CV-08-501914-S (Conn. Super. Ct., Hartford J.D., filed April 16, 2008), as of July 31, 2008, and as reflected on the State of Connecticut, Judicial Branch's webpage at <http://civilinquiry.jud.ct.gov/DispDetail.asp?DocNum=HHD-CV-08-5019142-S>.

Dated: August 1, 2008


Katherine L. Villanueva

Sworn to before me this

1st day of August 2008


Notary Public

